

REMARKS

The Office Action dated September 9, 2003 has been reviewed, and the comments of the U.S. Patent Office have been considered. The specification has been amended in accordance with the Examiner's helpful suggestion at paragraph (3) of the Office Action. Regarding the Examiner's question at paragraph (1) of the Office Action, the amendment to claim 1 on July 14, 2003 deleted the two commas having a strike-through directly above the commas. Claims 1-11 are pending and are respectfully submitted for reconsideration by the Examiner in consideration of the remarks herein.

Claims 1-4 and 7-11 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,023,232 to Eitzenberger ("Eitzenberger"). Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eitzenberger in view of U.S. Patent No. 5,960,035 to Sridhar et al. ("Sridhar"). The rejection under 35 U.S.C. § 102(e), of claims 1-4 and 7-11, and the rejection under 35 U.S.C. 103(a), of claims 5-6, are respectfully traversed.

Claim 1 recites a communication system having a processor unit for controlling applications, a plurality of operator consoles connected to the processor unit and having user interfaces for accessing the applications, and a central system controller. The central system controller includes a priority management system which allocates to the individual operator consoles access rights with different degrees of priority to the applications.

Claim 15 recites a method for exchanging data in a vehicle, in which a processor unit and a plurality of data sources communicate with operator consoles via a data bus. Different applications are controlled by the processor unit so that they output onto different output devices. Access rights with different degrees of priority to the applications are allocated to the individual operator consoles. Support for claims 1 and 15 is provided at, for example, page 7, line 11 – page 8, line 5, of Applicants' specification as originally filed.

At page 1, line 13, of the instant specification, the priority application to Eitzenberger, application DE 196 25 002, is referenced. Referring to Eitzenberger and to the instant specification, Eitzenberger shows a vehicle communication system with a central processor unit for carrying out telematic applications, with interfaces via which equipment units for

transmitting and connecting data can be connected to the central processor unit. The equipment units are assigned to the various telematic applications in a flexibly controllable fashion. A user can access different telematic applications in a flexible way. At col. 2, ll. 30-50, Eitzenberger states that an application control controls the necessary data transmission processes, for which purpose the application control includes device gateways and interface gateways separate from the device gateways. The application control selects gateways independently of one another, flexibly and on the basis of function, in order to control the respective devices through the respective interfaces.

At col. 3, ll. 22-51, Eitzenberger states that each individual device can be addressed on the basis of its function, in other words, for fulfilling a specific function associated with it, such as a position determination, for example. When necessary, the individual device can fulfil this function not only for a specific data networking application but for every such application for whose performance this function is required. Thus, redundancy to perform a specific function for several data networking applications can be avoided when necessary. Conversely, a function such as vehicle position determination can be designed with redundancy if required. Further devices can be added, and the system of Eitzenberger is able to transform incoming data into the particular type of data format required at the output. Furthermore, the application control of Eitzenberger is able to select the required suitable device on the basis of function.

As stated at col. 7, line 32 - col. 8, line 4, and illustrated in Fig.1, Eitzenberger shows an application that requires vehicle position determination. For this requirement several different devices are available, such as a beacon communication device or a GPS receiver. The application control may activate several of the present devices and evaluate the position data, or choose the currently available and/or most favorable interface for the application to the GSM device to be activated. The function includes prioritization of the applications. These applications are the functions of the device, such as navigation, fleet management, remote diagnosis or antitheft protection.

However, it is respectfully submitted that Eitzenberger does not teach or suggest a priority management system that allocates to the individual operator consoles access rights with different degrees of priority to the applications, as recited in claim 1, or access rights with

different degrees of priority to the applications are allocated to the individual operator consoles, as recited in claim 10. Accordingly, it is submitted that claims 1 and 10 are patentable.

Claims 2-9 ultimately depend from claim 1, and claim 11 depends from claim 10. The dependent claims recite the same combination of allowable features recited in the respective independent claims, as well as additional features that define over the applied references. Sridhar fails to overcome the above-described deficiencies of Eitzenberger. Specifically, Sridhar does not teach or suggest at least the features of a priority management system that allocates to the individual operator consoles access rights with different degrees of priority to the applications, as recited in claim 1. Accordingly, it is submitted that claims 2-9 and 11 are patentable as well. Applicants request that the the rejection under 35 U.S.C. § 102(e), of claims 1-4 and 7-11, and the rejection under 35 U.S.C. 103(a), of claims 5-6, be withdrawn and the claims allowed.

CONCLUSION

Applicants respectfully request that this amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing all pending claims in condition for allowance. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite the prosecution.

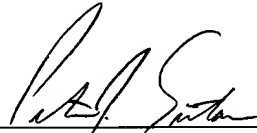
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 9, 2004

By:



Peter J. Sistare

Registration No. 48,183

CUSTOMER NO. 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

202-739-3000